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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

D. COOK ET AL.

Serial No.: 09/976,507

Filed: October 12, 2001

For: PERSON DIGITAL CONTENT
SYSTEM

Art Unit: 2682

Examiner: PAN, Yuwen

SUBSTITUTE FEE(S) TRANSMITTAL FORM (PTOL-85)

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants are submitting this Substitute PTOL-85 since an original PTOL-85 was never received in this case. Instead, Applicants received a "Corrected Notice of Allowance and Issue Fee(s) Due" (copy attached) that did not include a PTOL-85. Applicants placed a telephone call to Examiner Pan to notify him of this apparent error and Examiner Pan advised that Applicant should pay the Issue Fee and that he would continue to investigate the matter.

Should there be any question regarding this submission, a representative of the Patent Office is invited to contact the undersigned.

Current Correspondence Address:
Lawrence D. Eisen
SHAW PITTMAN LLP
1650 Tysons Boulevard
McLean, VA 22102

12/03/2004 NNGUYEN2 00000123 09976507

01 FC:2501
02 FC:8001

685.00 OP
30.00 OP

Serial No.: 09/976,507
Art Unit: 2682

Attorney's Docket No.: LET-108-D1
Page 2

Application No.: 09/976,507
Filing Date: October 12, 2001
First Named Inventor: David Cook, et al.
Attorney Docket No.: LET-108-D1
Confirmation No. 2832

Application Type: Non Provisional
Small Entity: Yes
Issue Fee: \$685.00
Publication Fee: \$0.00
Total Fees: \$685.00
Due Date: December 3, 2004

Examiner: PAN, Yuwen
Art Unit: 2682
Class-Subclass: Unknown

1. Change of Correspondence address or indication of "Fee Address" (37 CFR 1.363)

2. For printing on the patent front page, list:
SHAW PITTMAN LLP

3. Assignee Name and Residence Data to be Printed on the Patent:
Loudeye Corporation
1130 Rainier Avenue South
Seattle, Washington 98144
U.S.A.

4a. The following fees are enclosed:

Issue Fee
Advance order - #of Copies – 10

4b. Payment of Fee

Check in the amount of the fee is enclosed
Director is hereby authorized by charge the required fee(s), or credit any overpayment, to
Deposit Account Number 50-1390

Serial No.: 09/976,507
Art Unit: 2682

Attorney's Docket No.: LET-108-D1
Page 3

5. Change of Entity Status: None

SHAW PITTMAN LLP
1650 Tysons Boulevard
McLean, VA 22102
Tel: 703/770-7900

Date: December 2, 2004

Respectfully submitted,

D. COOK ET AL.

By: Lawrence D. Eisen
Lawrence D. Eisen
Registration No. 41,009

LDE/dkp

Customer No. 28970

Document #: 1307635 v.1



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**CORRECTED
NOTICE OF ALLOWANCE AND FEE(S) DUE**

28970

7590

09/14/2004

SHAW PITTMAN
IP GROUP
1650 TYSONS BOULEVARD
SUITE 1300
MCLEAN, VA 22102

SEP 16 2004

EXAMINER

PAN, YUWEN

ART UNIT

PAPER NUMBER

2682

DATE MAILED: 09/14/2004

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/976,507 | 10/12/2001 | David Cook | 62967-034 | 2832 |

TITLE OF INVENTION: PERSONAL DIGITAL CONTENT SYSTEM

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | YES | \$665 | \$0 | \$665 | 12/03/2004 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. NEITHER A NOTICE OF ALLOWANCE NOR A CORRECTED NOTICE OF ALLOWANCE IS A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND ANY PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THE THREE MONTH PERIOD BEGINNING ON THE MAILING DATE OF THE PREVIOUSLY-MAILED NOTICE OF ALLOWANCE AND ENDING ON THE DATE DUE SHOWN ON THIS FORM, OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. MAILING OF THIS CORRECTED NOTICE OF ALLOWANCE DOES NOT CHANGE THE DATE DUE OF THE ISSUE FEE (AND ANY REQUIRED PUBLICATION FEE). IF A REPLY (WITH PAYMENT OF THE ISSUE FEE AND ANY PUBLICATION FEE) WAS FILED IN RESPONSE TO THE PREVIOUSLY-MAILED NOTICE OF ALLOWANCE, THEN NO FURTHER REPLY IS REQUIRED FROM APPLICANT.

All communications regarding this application must include the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE, unless advised to the contrary.



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DEC 02 2004

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28970 7590 09/14/2004

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IP GROUP
1650 TYSONS BOULEVARD
SUITE 1300
MCLEAN, VA 22102

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|----------|--------------|
| | 2682 |

DATE MAILED: 09/14/2004

SEP 16 2004

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 337 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 337 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.